

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CRIMINAL DOCKET NO. 5:13CR68-1-RLV**

UNITED STATES OF AMERICA,)
 Plaintiff,)
))
 vs.)
))
O. C. BILLINGS,)
))
 Defendant.)
_____))

SCHEDULING ORDER

THIS MATTER is before the Court on the Court's Order, filed on May 10, 2016¹, ordering this matter for resentencing.

IT IS, THEREFORE, ORDERED that:

The Bureau of Prisons and the United States Marshals Service is hereby ORDERED to transport and produce the body of O. C. BILLINGS (USM#28718-058), for re-sentencing on July 18, 2016, before the Honorable Richard L. Voorhees, in the Western District of North Carolina, Statesville Courthouse, 200 West Broad Street, 2nd Floor Courtroom, Statesville, North Carolina, not later than July 11, 2016, and upon completion of the re-sentencing hearing, Defendant is to be returned to the custody of the Bureau of Prisons.

The Clerk is directed to certify copies of this Order to the United States Attorney, Defendant's Counsel, the United States Marshal Service, and the United States Probation Office.

IT IS SO ORDERED.

Signed: May 26, 2016



Richard L. Voorhees
United States District Judge



¹ The Court granted the Defendant's Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. § 2255. The Court determined that based on the Supreme Court's decision in Johnson v. United States, 135 S. Ct. 2551 (2015), the Defendant's three predicate felony convictions of attempted-burglary no longer support the Defendant's status as an armed career criminal; therefore, the Defendant lacks three qualifying violent felony convictions for purposes of the ACCA.